

70C-5-102. Buyer's right to cancel.

(1) Except as provided in Subsection (5), in addition to any right otherwise to revoke an offer, the buyer has the right to cancel a home solicitation sale until midnight of the third business day after the day on which the buyer signs an agreement or offer to purchase which complies with this chapter.

(2) Cancellation occurs when the buyer gives written notice of cancellation to the seller at the address stated in the agreement or offer to purchase.

(3) Notice of cancellation, if given by mail, is given when it is deposited in a mailbox properly addressed and postage prepaid.

(4) Notice of cancellation given by the buyer need not take a particular form and is sufficient if it indicates by any form of written expression the intention of the buyer not to be bound by the home solicitation sale.

(5) The buyer may not cancel a home solicitation sale if:

(a) the buyer requests the seller to provide goods or services without delay because of an emergency;

(b) the seller in good faith makes a substantial beginning of performance of the contract before the buyer gives notice of cancellation; and

(c) in the case of goods, the goods cannot be returned to the seller in substantially as good condition as when received by the buyer.

(6) This section does not displace any rights the buyer may have under other sections of this title, other statutes of this state, or federal law.

Enacted by Chapter 159, 1985 General Session